

# **State of California Consolidated State Application Accountability Workbook**

**for State Grants under Title IX, Part C, Section 9302 of the Elementary and  
Secondary Education Act (Public Law 107-110)**

**DUE: JANUARY 31, 2003  
FIRST SUBMISSION: JANUARY 31, 2003  
SECOND SUBMISSION: JUNE 3, 2003**



**U. S. Department of Education  
Office of Elementary and Secondary Education  
Washington, D.C. 20202**

## **Instructions for Completing Consolidated State Application Accountability Workbook**

By January 31, 2003, States must complete and submit to the Department this Consolidated State Application Accountability Workbook. We understand that some of the critical elements for the key principles may still be under consideration and may not yet be final State policy by the January 31 due date. States that do not have final approval for some of these elements or that have not finalized a decision on these elements by January 31 should, when completing the Workbook, indicate the status of each element which is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

### **Transmittal Instructions**

To expedite the receipt of this Consolidated State Application Accountability Workbook, please send your submission via the Internet as a .doc file, pdf file, rtf or .txt file or provide the URL for the site where your submission is posted on the Internet. Send electronic submissions to [conapp@ed.gov](mailto:conapp@ed.gov).

A State that submits only a paper submission should mail the submission by express courier to:

Celia Sims  
U.S. Department of Education  
400 Maryland Ave., SW  
Room 3W300  
Washington, D.C. 20202-6400  
(202) 401-0113

## **PART I: Summary of Required Elements for State Accountability Systems**

### **Instructions**

The following chart is an overview of States' implementation of the critical elements required for approval of their State accountability systems. States must provide detailed implementation information for each of these elements in Part II of this Consolidated State Application Accountability Workbook.

For each of the elements listed in the following chart, States should indicate the current implementation status in their State using the following legend:

- F:** State has a final policy, approved by all the required entities in the State (e.g., State Board of Education, State Legislature), for implementing this element in its accountability system.
- P:** State has a proposed policy for implementing this element in its accountability system, but must still receive approval by required entities in the State (e.g., State Board of Education, State Legislature).
- W:** State is still working on formulating a policy to implement this element in its accountability system.

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**Summary of Implementation Status for Required Elements of  
State Accountability Systems**

Status	State Accountability System Element	
Principle 1: All Schools		
F	1.1	Accountability system includes <i>all schools and districts in the state</i> .
F	1.2	Accountability system holds <i>all schools to the same criteria</i> .
F	1.3	Accountability system incorporates the <i>academic achievement standards</i> .
F	1.4	Accountability system provides <i>information in a timely manner</i> .
F	1.5	Accountability system includes <i>report cards</i> .
P	1.6	Accountability system includes <i>rewards and sanctions</i> .
Principle 2: All Students		
F	2.1	The accountability system includes <i>all students</i>
P	2.2	The accountability system has a consistent definition of <i>full academic year</i> .
F	2.3	The accountability system properly includes <i>mobile students</i> .
Principle 3: Method of AYP Determinations		
F	3.1	Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
F	3.2	Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
F	3.2a	Accountability system establishes a <i>starting point</i> .
F	3.2b	Accountability system establishes <i>statewide annual measurable objectives</i> .
F	3.2c	Accountability system establishes <i>intermediate goals</i> .
Principle 4: Annual Decisions		
F	4.1	The accountability system <i>determines annually the progress</i> of schools and districts.

**STATUS Legend:**

**F** – Final state policy

**P** – Proposed policy, awaiting State approval

**W** – Working to formulate policy

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### **Principle 5: Subgroup Accountability**

P	5.1	The accountability system <i>includes all the required student subgroups</i> .
F	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
F	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.

### **Principle 6: Based on Academic Assessments**

F	6.1	Accountability system is based <i>primarily on academic assessments</i> .
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### **Principle 7: Additional Indicators**

F	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.

### **Principle 8: Separate Decisions for Reading/Language Arts and Mathematics**

F	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts and mathematics</i> .
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### **Principle 9: System Validity and Reliability**

F	9.1	Accountability system produces <i>reliable decisions</i> .
F	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .

### **Principle 10: Participation Rate**

F	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
F	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

#### **STATUS Legend:**

F – Final policy  
P – Proposed Policy, awaiting State approval  
W– Working to formulate policy

## **PART II: State Response and Activities for Meeting State Accountability System Requirements**

### **Instructions**

In Part II of this Workbook, States are to provide detailed information for each of the critical elements required for State accountability systems. States should answer the questions asked about each of the critical elements in the State's accountability system. States that do not have final approval for any of these elements or that have not finalized a decision on these elements by January 31, 2003, should, when completing this section of the Workbook, indicate the status of each element that is not yet official State policy and provide the anticipated date by which the proposed policy will become effective. In each of these cases, States must include a timeline of steps to complete to ensure that such elements are in place by May 1, 2003, and implemented during the 2002-2003 school year. By no later than May 1, 2003, States must submit to the Department final information for all sections of the Consolidated State Application Accountability Workbook.

**PRINCIPLE 1. A single statewide Accountability System applied to all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>1.1 How does the State Accountability System include every public school and LEA in the State?</p>	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System.</p> <p>State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> <li>• The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).</li> </ul>	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**



## CONSOLIDATED STATE APPLICATION ACCOUNTABILITY WORKBOOK

California currently has a comprehensive school accountability system in place that encompasses all schools, including public charter schools. California will utilize the federal measure of “proficient or above” in English language arts and mathematics to supplement its existing system, the cornerstone of which is the Academic Performance Index (API).

The California Department of Education (CDE) will determine Adequate Yearly Progress (AYP) based on the proportion of students scoring at “proficient or above” on the statewide assessments for all California public schools and LEAs that have met or exceeded the minimum subgroup size for accountability (see Critical Element 5.5). California will use its existing API as an additional academic indicator for all schools, as provided for by the NCLB. Progress on the API for purposes of AYP will be defined as demonstrating a gain of one or more API points or meeting the annual API status target (see Attachment A). Currently, the API is only a school-level indicator. Since the NCLB requires states to determine AYP for Local Educational Agencies (LEAs), the state will now calculate APIs for any LEA that meets or exceeds the minimum subgroup size for accountability. A state API will also be calculated and reported.

### Schools with fewer than 100 valid scores

A valid score in this context is a score that under federal law and regulation may be used to establish whether or not a student is proficient in English language arts or mathematics. For a school, this would include test results from any student who has been continuously enrolled in the school from the preceding CBEDS date.

The CDE will assume responsibility for establishing AYP for schools with fewer than 100 valid scores using the following methodology:

Step 1: Apply pairing and sharing for any school with a grade span outside the testing program, i.e., no valid scores.

Because of governance considerations, schools may not be paired across LEAs. For 2003, the LEA must notify the CDE of a pairing and sharing arrangement in time for October 2003 API report. All pairing and sharing arrangements last for three years (through 2005 testing) or until the LEA notifies the CDE that this arrangement is no longer appropriate, whichever comes first.

Currently, the CDE is unable to establish school feeder patterns because of the absence of a universal student longitudinal database. California is currently in the process of implementing such a database as a feature of the California School Information Services (CSIS). Upon full implementation of CSIS, California will consider whether or not to extend pairing and sharing to schools within the same LEA that have a small number of valid scores and well-established feeder patterns.

Step 2: Aggregate test results across years.

Determine whether or not it is possible to aggregate test results over two or three years to satisfy the minimum n criterion. Once the 100 scores criterion is reached, compare the results to the most current annual measurable objective to establish AYP. The CDE will not aggregate scores over more than three years (the current year and the two years immediately preceding) in order to establish AYP.\*

Step 3: Apply statistical test to achieve a 95% confidence level in AYP determination. If the school still does not have 100 valid scores as a result of aggregating scores, determine failure to meet annual measurable objective in English language arts or mathematics only if it is possible to achieve a 95% confidence level for the decision based on the available test results. This would include aggregated scores over a two or three year time period. Schools with results that do not fall within the confidence interval will be identified as not making AYP.

LEAs with fewer than 100 valid scores

The CDE will employ Steps 2 and 3 of the above methodology for establishing AYP for LEAs with fewer than 100 valid scores.

Those changes that require state legislation should be enacted by October 2003 (See Attachment B for a timeline of regulatory changes and legislative changes as well as other implementation activities.)

**Supporting Evidence:**

- The Academic Performance Index (API) as the “Other” Indicator (Attachment A)
- [API Description](#)
- [Staff and Parents Assistance Packet for the 2001-02 API Growth](#)
- California’s timeline for NCLB implementation (see Attachment B)

\* The earliest that this procedure could be applied for schools is with the 2004 test results, since the first year the statewide assessment program collected mobility information consistent with the NCLB formula was 2003.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.2 How are all public schools and LEAs held to the same criteria when making an AYP determination?	<p>All public schools and LEAs are systematically judged on the basis of the same criteria when making an AYP determination.</p> <p>If applicable, the AYP definition is integrated into the State Accountability System.</p>	Some public schools and LEAs are systematically judged on the basis of alternate criteria when making an AYP determination.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>To determine AYP, all public schools and LEAs will be evaluated on the basis of the percentage of students at or above proficient in English language arts and mathematics, so long as a school or LEA meets or exceeds the minimum subgroup size for accountability. Schools and LEAs will also be evaluated on the progress they make on the API. In addition, high schools will be evaluated on the progress they make on the graduation rate. The CDE anticipates that 2002 baseline data on each indicator included in the AYP determination will be reported to schools and LEAs by July 2003.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.3 Does the State have, at a minimum, a definition of <i>basic</i>, <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?</p>	<p>State has defined three levels of student achievement: <i>basic</i>, <i>proficient</i> and <i>advanced</i>.<sup>1</sup></p> <p>Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.</p>	<p>Standards do not meet the legislated requirements.</p>

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<sup>1</sup> System of State achievement standards will be reviewed by the Standards and Assessments Peer Review. The Accountability Peer Review will determine that achievement levels are used in determining AYP.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

California Content Standards

California's implementation and use of challenging academic content standards began in December 1997, when the California State Board of Education (SBE) adopted content standards for English language arts and mathematics. These standards contain coherent and rigorous content and specify what students are expected to know and be able to do. California's world-class standards were developed for *all* students and can be attained by *all* students given the appropriate standards-aligned instruction, sufficient time, and intervention when necessary.

California's Assessment System

The Standardized Testing and Reporting (STAR) program, first implemented in 1998, currently includes a norm-referenced test (California Achievement Test, Sixth Edition or CAT/6), the California Standards Tests (CSTs) in English language arts, mathematics, and history/social science (high school level), the Spanish Assessment of Basic Education (SABE/2), and the newly developed California Alternate Performance Assessment (CAPA) for students with severe cognitive disabilities. In addition to the assessments included in the STAR program, California has developed a high school exit exam. The California High School Exit Exam (CAHSEE) was administered for the first time in 2001 to a voluntary group of 9<sup>th</sup> grade students. The CAHSEE represents the core content that a high school graduate is expected to know and be able to demonstrate in English language arts and mathematics. Results for the exam are reported separately by content area. Beginning in 2003 the CAHSEE is required for all 10<sup>th</sup> graders.

The SBE approved performance levels on the California Standards Tests (CSTs) at their meeting in February 2001. Five performance levels were adopted: advanced, proficient, basic, below basic, and far below basic. Sensitivity to gains at the lower levels was one major concern that prompted the adoption of five performance levels, rather than the minimum of three required by the NCLB.

Elementary and middle schools: Results from the CSTs will be used to determine the percentage of students scoring at the "proficient" level or above for all elementary and middle schools.

High schools: California will use results from the CAHSEE to establish AYP for high schools. California has identified three achievement levels required under NCLB for the CAHSEE as part of a technical process. CAHSEE test results are evaluated on the basis of pass/no pass for the high school graduation exit criterion and will continue to be evaluated in this manner for this criterion.

**Supporting Evidence:**

- [California content standards](#)
- [Information about the 2003 STAR program](#)
- [Information about the California High School Exit Exam \(CAHSEE\)](#)
- [California State Board of Education minutes from their February 7, 2001 meeting where performance levels on the CSTs were approved \(see Item 19\)](#)
- [California State Board of Education minutes from their January 8, 2003 meeting that describes which performance level will be used to judge "proficient" for NCLB](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?</p>	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	<p>Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

AYP reporting: By law California currently reports Standardized Testing and Reporting (STAR) results via the Internet on August 15 of each year. Districts receive results prior to this posting. The STAR Internet posting includes the percentage of students scoring at or above the “proficient” level in English language arts and mathematics by county, district, and school.

The CDE has amended its contract with the STAR, CAPA, and CAHSEE test publisher to require the contractor to provide the CDE with an AYP data file for 2002-2003. The CDE will use this data file to generate district and school-level reports that will be posted on the Internet also on August 15. In 2003 this report will reflect whether a district, school, or subgroup met its annual measurable objectives in English language arts and mathematics and whether the district, school, or subgroup achieved the required 95% participation rate. This will constitute the **preliminary** AYP determination.

For 2003 the CDE will release the API, which is the additional academic indicator, as well as the district and school-level graduation rate in October. A final report in December 2003 will incorporate any changes made by LEAs to assessment demographic data as well as the application of safe harbor.

The CDE anticipates that in 2004 the preliminary August AYP report will be expanded to include both the API and the graduation rate, contingent on further negotiations with the test publisher.

Identification as a Program Improvement School: Shortly after the publication of the AYP report in August, the CDE will identify any school that has not made AYP for two consecutive years as a “Program Improvement school” and officially notify the LEA of this fact. This identification will be based on the most current assessment data that the CDE has available. The CDE will require districts, upon receipt of this notice, to notify the parents of all students assigned to a school that has been preliminarily identified for improvement of their school choice option. Parent notification under this plan will take place in time for alternative school assignments to be arranged if requested.

Final school and district accountability reports and AYP determinations will be issued in December, once districts have submitted all demographic data corrections and the contractor has provided a revised data file. Once final accountability results are available, we will revise the list of schools identified for improvement to reflect any additions or deletions resulting from these final results. Districts will then notify parents of the final results and make mid-year choice available in cases where the preliminary AYP report did not identify schools for improvement. On the other hand, in cases where the CDE preliminarily identified a school for program improvement but deleted it from the final list, the CDE will inform the district, and the school will be relieved of prospective requirements. However, any school choice commitments (i.e., transportation costs) that were made based on preliminary identification will be honored for the balance of the school year.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>1.5 Does the State Accountability System produce an annual State Report Card?</p>	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>



**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

Accountability report cards have been a feature of California's accountability system since 1988, when Proposition 98 required LEAs to produce them for each of their schools. School-level report cards are available on the Internet as links from the California Department of Education's Web site. As of January 2003, 99% of students in California's public schools are in LEAs that have a link to report cards from the CDE's Web site.

Presently, the CDE produces a template of the report card, including data that are available to the state. LEAs then complete the report card by providing narrative sections and by supplying information available locally. As a result of NCLB, this template will expand to include federally required LEA-level data. In most cases, these data will be an aggregation or "roll-up" of school-level data. LEA-level information is currently included in the school accountability report card templates. Additional LEA required data and the state-level report card, representing an aggregation of the LEA-level data, will also be produced in fall 2003.

At the school, LEA, and state levels, the report card will contain the required disaggregated results of student performance. Subgroups currently reported in the school report card include: 1) males and females; 2) economically disadvantaged, 3) limited English Proficient, 4) students receiving migrant education services, 5) major racial/ethnic groups (African American/Black, Hispanic, Asian American, Pacific Islander, Filipino, American Indian/Alaska Native, White), and 6) all students. Beginning with the 2002-03 reporting cycle, student performance results for students with disabilities will be added.

Some of the elements included in California's current school accountability report card will require modification to fully comply with the NCLB requirements. All changes should be complete by October 2003 and will be implemented with the 2002-03 reporting cycle.

**Supporting Evidence:**

- [School Accountability Report Card template](#) that is made available to all LEAs
- [School Accountability Report Card home page](#) for program information
- [California State Board of Education minutes from the March 12, 2003 meeting about the adoption of the report card template](#)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs? <sup>2</sup>	<p>State uses one or more types of rewards and sanctions, where the criteria are:</p> <ul style="list-style-type: none"> <li>• Set by the State;</li> <li>• Based on adequate yearly progress decisions; and,</li> <li>• Applied uniformly across public schools and LEAs.</li> </ul>	State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.

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<sup>2</sup> The state must provide rewards and sanctions for all public schools and LEAs for making adequate yearly progress, except that the State is not required to hold schools and LEAs not receiving Title I funds to the requirements of section 1116 of NCLB [§200.12(b)(40)].

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

Current state law provides awards programs, both monetary and non-monetary, to schools that meet their Academic Performance Index (API) targets and interventions programs for those schools that do not. Each of the state awards and interventions programs is available to all California schools, regardless of Title I funding, so long as the schools meet eligibility requirements in state law and regulation.

The monetary awards programs include the Governor's Performance Award Program and the Certificated Staff Performance Incentive Program. Non-monetary programs include the state California School Recognition Program and the federal Blue Ribbon Program and Achieving Schools Programs. It is anticipated that alignment of the awards programs with NCLB, i.e., including AYP as a condition of receiving state awards, should be completed in October 2003.

California has two statewide intervention programs in place: the Immediate Intervention/Underperforming Schools Program and the High Priority Schools Grant Program. Schools that are eligible for either of these programs are the lowest performing in the state; participation is voluntary. In either program, schools are subject to state sanctions in the event that they fail to demonstrate significant growth on the API during the school action plan implementation period. Together, these two state programs include about 1,700 schools in various stages. Also, schools that receive Title I funds are identified for Program Improvement (PI) if they fail to make AYP for two consecutive years. PI schools that continue to fail to make AYP are subject to corrective action, as required by federal law.

Discussions are continuing to align current state interventions programs with the requirements of NCLB. Since California has well-established state interventions programs with a significant number of schools as participants, realignment will require extensive legislative and regulatory changes. These changes in turn will require input from a number of constituencies.

Also, the transition from the current amalgam of state and federal programs to an aligned system will take some time in order to guarantee schools and districts have adequate notice and fair opportunities to make improvements before sanctions are invoked.

A proposed strategy for aligning state and federal policy for underperforming schools is being finalized. This proposal is intended to serve as the basis of legislation to align state programs with federal requirements. It is anticipated that this alignment process will take at least two years due to its complexity.

**Supporting Evidence:**

- [California Education Code § 52057 \(Governor's Performance Awards program\)](#) and [California Education Code § 44650 \(Certificated Staff Performance Incentive Act\)](#) for program descriptions of the two state-level monetary awards programs
- [California School Recognition Program description](#)
- Achieving Schools program eligibility criteria for 2003 (see Attachment C)
- [Information on the California National Blue Ribbon Schools Program](#)
- [News Release About 2002-03 California's National Blue Ribbon Schools Nominees](#)
- Awards Program Alignment Plan (Attachment D)
- [California Education Code § 52053-52053.53 \(Immediate Intervention/Underperforming Schools Program\)](#) and [California Education Code § 52055.600-52055.660 \(High Priority Schools Grant Program\)](#) for program descriptions of the state-level intervention programs
- [Comparison of State and Federal Intervention Programs \(Attachment E\)](#)

**PRINCIPLE 2. All students are included in the State Accountability System.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	<p>All students in the State are included in the State Accountability System.</p> <p>The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.</p>	<p>Public school students exist in the State for whom the State Accountability System makes no provision.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

California Education Code § 60640(b) requires each school district, charter school, and county office of education to administer the Standardized Testing and Reporting (STAR) Program assessments to each of its pupils in grades 2-11, unless the pupil is excused by a parent request (allowable by California law – see California Education Code § 60615). The California Department of Education (CDE) has developed and implemented an alternate assessment for children with severe disabilities who cannot take part in the regular STAR assessments – the California Alternate Performance Assessment (CAPA). All students with disabilities, unless excused by parent request are required to participate in either the STAR assessments or the CAPA. At the high school level, California Education Code § 60851(b) requires each 10<sup>th</sup> grader to take the California High School Exit Examination (CAHSEE). The STAR, CAPA and CAHSEE results will be merged for AYP reporting purposes, as appropriate.

Test results summarized according to the federal AYP criterion (percent proficient or above in English language arts and mathematics) will be reported at the school level for all students who have been enrolled in the school since the beginning of the academic year; at the district level for all students who have been enrolled in the district since the beginning of the academic year; and for all students at the state level. These definitions and procedures will apply to all schools and LEAs statewide. In the case of special education students who are educated in settings different than their school of residence (e.g., county-run programs or private schools), the CDE has developed a set of guidelines or counting rules that delineate which entity (e.g., school or LEA) should be held accountable for the test results of these students (see Attachment D).

Currently, California holds a school accountable for the performance of any student who has been enrolled in the *school district* for a full academic year. Under NCLB, a school is accountable only if the student has been enrolled in the *school* for a full academic year. In order to align the current API system with the provisions of NCLB, California will undertake to amend the relevant California Education Code section through legislation in order to make a school accountable only for the performance of a student who has been enrolled in the school for a full academic year. A district will be held accountable for all students who were enrolled in the district for a full academic year. The performance results of students not enrolled in any one district for a full academic year will be aggregated to the state level. The necessary change in legislation should occur by October 2003.

**Supporting Evidence:**

- [California Education Code section § 60640\(b\) regarding student participation in the Standardized Testing and Reporting \(STAR\) assessment program](#)
- [California Education Code section § 60851\(b\) regarding student participation in the California High School Exit Exam](#)
- [California Education Code § 60615 that describes the allowance for parental waivers to excuse students from the statewide testing program](#)
- Accountability guidelines for special education students (see Attachment F)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.2 How does the State define “full academic year” for identifying students in AYP decisions?	<p>The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP.</p> <p>The definition of full academic year is consistent and applied statewide.</p>	<p>LEAs have varying definitions of “full academic year.”</p> <p>The State’s definition excludes students who must transfer from one district to another as they advance to the next grade.</p> <p>The definition of full academic year is not applied consistently.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Currently, California uses the date on which Local Educational Agencies (LEAs) are required to submit information to the California Basic Educational Data System (CBEDS) as the beginning of the academic year for reporting purposes. This date occurs annually in October, generally on the first Wednesday. If a student is continuously enrolled in a school from that date to the date of testing in the spring, California considers the student to have been enrolled in that school for a “full academic year.” The same criterion will be used for LEAs.</p> <p>“Continuous enrollment in the school (or LEA) from the CBEDS date” is defined as:</p> <p style="padding-left: 40px;">The student did not withdraw or was not dropped from the school’s (or LEA’s) enrollment any time between the CBEDS census date and the first day of testing.</p> <p>Current California law about school mobility for the Academic Performance Index (API) will be changed to reflect the criteria outlined above. This change should be completed by October 2003.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?</p>	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Information about the enrollment of students is collected on the Student Answer Document (SAD) that is completed at the time of testing for the STAR tests, the CAHSEE, and the CAPA. A SAD is completed not only for a student who actually participates in the assessment but also for a student who is enrolled in one of the grades tested and does not take the assessment. The 2003 SAD will include two questions designed to address student mobility:</p> <ul style="list-style-type: none"> <li>• Has the student been continuously enrolled at the <u>school</u> since the CBEDS date?</li> <li>• Has the student been continuously enrolled in the <u>district</u> since the CBEDS date?</li> </ul> <p>This is the method by which California will determine which students will count at the school, district, or state level.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• Student Answer Document (SAD) for the 2003 testing cycle (<a href="#">page 1</a> and <a href="#">page 2</a>)</li> <li>• <a href="#">Information for Coding Test Documents (2003 testing cycle)</a></li> </ul>		



**PRINCIPLE 3. State definition of AYP is based on expectations for growth in student achievement that is continuous and substantial, such that all students are proficient in reading/language arts and mathematics no later than 2013-2014.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?</p>	<p>The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts<sup>3</sup> and mathematics, not later than 2013-2014.</p>	<p>State definition does not require all students to achieve proficiency by 2013-2014.</p> <p>State extends the timeline past the 2013-2014 academic year.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p>At their January 8, 2003, the California State Board of Education (SBE) adopted a definition of Adequate Yearly Progress in both English language arts and mathematics. The definition is based on a statewide performance goal of all students scoring at or above the “proficient” level on the standards-based statewide assessments by the required deadline of 2013-2014. Performance on the California Standards Tests (CSTs) in English language arts and mathematics will be used to evaluate AYP for students in grades 2-8; the California High School Exit Exam (CAHSEE) will be used to evaluate performance of students in grades 10-12.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">California State Board of Education minutes from their January 8, 2003 meeting</a></li> <li>• <a href="#">California State Board of Education “Proposal for Adequate Yearly Progress Under NCLB – Questions and Answers” (January 8, 2003)</a></li> </ul>		

<sup>3</sup> If the state has separate assessments to cover its language arts standards (e.g., reading and writing), the State must create a method to include scores from all the relevant assessments.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?</p>	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	<p>State uses different method for calculating how public schools and LEAs make AYP.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

In California, in order to make AYP, a public school or LEA must meet or exceed the State's annual measurable objectives in English language arts and mathematics, demonstrate progress on the Academic Performance Index (API) as the other indicator, and demonstrate a participation rate in each applicable assessment of 95% or higher. Additionally, each student subgroup within a public school or LEA will have to meet or exceed the State's annual measurable objectives in English language arts or mathematics and have a participation rate of 95% or more in each assessment, if the subgroup meets the definition of a numerically significant subgroup (see Critical Element 5.5). In making this determination, the 95% participation rate criterion is applied first. If an LEA, school, or student subgroup does not meet this criterion, then it will be deemed not to have made AYP, regardless of whether or not it would have met the annual measurable objectives, i.e., the percent proficient or above.

In the event that an LEA, school or student subgroup does not meet its annual measurable objectives, the LEA, school or subgroup may be considered to have made AYP if all of the following conditions are met:

- The percentage of students LEA, school, or subgroup who did not meet or exceed the “proficient” level on the applicable assessments decreased by 10% of that percentage from the preceding school year.
- The LEA, school, or subgroup demonstrated growth on the Academic Performance Index (API) of at least one point from the preceding school year or attained the annual API status target. (California will use the API as an additional academic indicator as per Critical Element 1.1.)
- For high schools, the LEA, school or student subgroup demonstrated progress in increasing its graduation rate.
- The LEA, school, or subgroup had at least a 95% participation rate on the applicable assessment (see Critical Element 10.1 for California's method for determining participation rate).

California will identify for Program Improvement any school that fails to make AYP for two consecutive years on the same measure. For example, a school that had a subgroup fail to meet or exceed the annual measurable objective in English language arts in Year 1 and in Year 2 would be identified for Program Improvement. A school that failed to meet or exceed the annual measurable objective in mathematics in Year 1, but in English language arts in Year 2 would not be identified for Program Improvement.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20<sup>th</sup> percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

Using 2002 STAR data, California has established separate starting points in English language arts and mathematics for measuring the percentage of students at or above proficient for grades 2-8: California's starting point for English language arts is 13.6% at or above "proficient"; for mathematics the starting point is 16.0% at or above "proficient." Using 2001 and 2002 CAHSEE data, for high schools the corresponding starting points are 11.2% at or above "proficient" for English language arts and 9.6% in mathematics. All of the starting points are based on the percentage of students at "proficient" or above in a public school at the 20<sup>th</sup> percentile of California's total enrollment among all schools ranked by the percentage of students at the proficient or advanced levels. In all cases, this produces the higher percentage from the two methods prescribed by the NCLB.

The first census administration of CAHSEE for 10<sup>th</sup> graders occurred in 2003. The CDE will re-evaluate and consider re-establishing the starting point after data from the spring 2003 10<sup>th</sup> grader administration are available.

**Supporting Evidence:**

- Starting Point Calculation for Grades 2-8 (Attachment G)
- Starting Point Calculation for Grade 10 (Attachment H)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2b What are the State's annual measurable objectives for determining adequate yearly progress?</p>	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>California has established separate English language arts and mathematics statewide annual measurable objectives that identify a minimum percentage of students that must meet the "proficient" level of academic achievement. Annual measurable objectives will utilize the same percent proficient as the most recent intermediate goal, or, in the beginning, the starting point (see Critical Element 3.2c). The English language arts and mathematics annual measurable objectives will be applied to each school and LEA, as well as to each subgroup at the school, LEA, and statewide levels to determine AYP status. In the event that the adjusted 2003 grade 10 starting points (see Critical Element 3.2a) are not materially different from the 2003 annual measurable objectives for grades 2-8, then common annual measurable objectives will be established for all grades from 2004 onward.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
3.2c What are the State's intermediate goals for determining adequate yearly progress?	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> <li>•The first incremental increase takes effect not later than the 2004-2005 academic year.</li> <li>•Each following incremental increase occurs within three years.</li> </ul>	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

California will establish separate English language arts and mathematics intermediate goals statewide that increase in equal increments over the 12-year timeline. There will be seven intermediate goals total. For grades 2-8, these goals are:

ELA	Year	Math	
13.6	2002	16.0	(Starting Points)
24.4	2005	26.5	(Intermediate Goals)
35.2	2008	37.0	
46.0	2009	47.5	
56.8	2010	58.0	
67.6	2011	68.5	
78.4	2012	79.0	
89.2	2013	89.5	
100.0	2014	100.0	(Final Goals)

This schedule of intermediate goals will result in all students in grades 2-8 meeting or exceeding the proficient level of academic achievement in English language arts and mathematics not later than 2013-2014, as required by law. Intermediate goals for high schools will be set following the calculation of the starting points, and if the 2003 adjusted starting points for grade 10 are not materially different from those for grades 2-8, the intermediate goals for grades 2-8 will be applied to all grade levels (see Critical Element 3.2a).

Since the peer review, a similar schedule of intermediate goals has been developed for high schools (Attachments N and O) as well as districts (Attachments L, M, N, O, P, and Q). The schedule for districts that enroll students in grades 9-12 only is identical to the high school schedule. The schedule for districts that enroll students in grades 2-8 only is identical to the elementary school schedule. The schedules for districts that enroll both primary and secondary students are an average of the high school and elementary school schedules.

These intermediate goals are consistent with the expectation that the strongest academic gains in schools and districts are likely to occur in later years, after teachers are given time to align their instruction with academic content standards, after districts are given the opportunity to increase their capacity to support needed reforms, and after there is a highly qualified teacher in every California classroom. This is particularly true for low-performing schools in California where students are being asked to reach performance levels that are especially rigorous (see Critical Element 1.3).

**Supporting Evidence:**

- Twelve-year timeline for English language arts with annual measurable objectives and intermediate goals for elementary schools, middle schools, elementary districts, and middle school districts (Attachment I)
- Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for elementary schools, middle schools, elementary districts, and middle school districts (Attachment J)
- Twelve-year timeline for English language arts with annual measurable objectives and intermediate goals for high schools and high school districts (Attachment K)
- Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for high schools and high school districts (Attachment L)
- Twelve-year timeline for English language arts with annual measurable objectives and intermediate goals for unified districts and high school districts with grades 7 and/or 8 (Attachment M)
- Twelve-year timeline for mathematics with annual measurable objectives and intermediate goals for unified districts and high school districts with grades 7 and/or 8 (Attachment N)



**PRINCIPLE 4. State makes annual decisions about the achievement of all public schools and LEAs.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually. <sup>4</sup>	AYP decisions for public schools and LEAs are not made annually.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The California Department of Education (CDE) has been making annual AYP decisions for all schools receiving Title I, Part A funds for the last several years. In keeping with this established practice, the CDE will make an annual determination of whether each LEA made AYP based on the criteria adopted by the SBE on January 8, 2003. For LEAs that meet or exceed the minimum subgroup size for accountability, this determination will rest on whether or not the performance of the LEA in the most recent testing cycle met the annual measurable objectives and its participation rate, overall and for each subgroup, was at least 95%. The CDE will make use of the methodology identified earlier to evaluate LEAs and schools with fewer than 100 scores (see Critical Element 1.1) to determine whether or not they met their annual measurable objectives.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Title I District and School Profiles that show the status of all Title I schools in the state</a></li> <li>• <a href="#">Title I Program Improvement Frequently Asked Questions</a></li> <li>• <a href="#">Memo to LEAs describing the transition of current Program Improvement schools to NCLB</a></li> </ul>		

<sup>4</sup> Decisions may be based upon several years of data and data may be averaged across grades within a public school [§1111(b)(2)(J)].

**PRINCIPLE 5. All public schools and LEAs are held accountable for the achievement of individual subgroups.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
5.1 How does the definition of adequate yearly progress include all the required student subgroups?	<p>Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.</p> <p>Provides definition and data source of subgroups for adequate yearly progress.</p>	State does not disaggregate data by each required student subgroup.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
	<p>California currently disaggregates test results by each of the student subgroups required by NCLB per demographic information collected on the Student Answer Document (SAD) at the time of testing. The California Department of Education (CDE) will use these results to determine the percent of students at the “proficient” level or above by subgroup for the annual AYP determination for all schools and LEAs in the state.</p> <p>Currently, state law requires that numerically significant racial/ethnic and socioeconomic disadvantaged subgroups will demonstrate “comparable improvement” in order for the school to meet its Academic Performance Index (API) growth target. (Note: For accountability purposes, California defines a socioeconomically disadvantaged group rather than an economically disadvantaged group. A student is included in the socioeconomically disadvantaged group if they participate in the Free or Reduced Price Lunch program or if the highest level of education of either of the student’s parents is less than a high school diploma. This definition was chosen for the API system in 1999 because of the non-universality of the Free and Reduced Price Lunch indicator, particularly at the high school level, and because parental education is generally accepted as a better predictor of students performance on a standardized test than participation in Free and Reduced Price Lunch Program, regardless of the student’s grade.) California will use this definition to determine whether or not the economically disadvantaged subgroup under NCLB met annual measurable objectives and therefore made AYP.</p> <p>In order to align the API with NCLB requirements, California proposes to add the two additional student subgroups required by NCLB, students with disabilities and students with limited English proficiency, to the subgroups required to demonstrate “comparable improvement.” This addition to state law should be accomplished by October 2003.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Sample report from the Standardized Testing and Reporting (STAR) system that shows disaggregated data for all NCLB required subgroups</a></li> <li>• Sample report from the California High School Exit Exam (CAHSEE) that shows disaggregated data for subgroups (<a href="#">example 1</a> and <a href="#">example 2</a>)</li> <li>• Copy of the 2003 STAR Student Answer Document (SAD) that indicates the demographic characteristics that are collected for each student (<a href="#">page 1</a> and <a href="#">page 2</a>)</li> </ul>	

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.2 How are public schools and LEAs held accountable for the progress of student subgroups in the determination of adequate yearly progress?	Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.	State does not include student subgroups in its State Accountability System.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Numerically significant student subgroups will be expected to meet annual measurable objectives in English language arts and mathematics and to participate in student assessments at a rate of 95% or higher in order for a public school or LEA to demonstrate AYP.</p> <p>In the event that an LEA, school or student subgroup does not meet its annual measurable objectives, the LEA, school or subgroup may be considered to have made AYP if all of the following conditions are met:</p> <ul style="list-style-type: none"> <li>• The percentage of students LEA, school, or subgroup who did not meet or exceed the “proficient” level on the applicable assessments decreased by 10% of that percentage from the preceding school year.</li> <li>• The LEA, school, or subgroup demonstrated growth on the Academic Performance Index (API) of at least one point from the preceding school year or attained the annual API status target. (California will use the API as an additional academic indicator as per Critical Element 1.1.)</li> <li>• For high schools, the LEA, school or student subgroup demonstrated progress in increasing its graduation rate.</li> <li>• The LEA, school, or subgroup had at least a 95% participation rate on the applicable assessment (see Critical Element 10.1 for California’s method for determining participation rate).</li> </ul>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>5.3 How are students with disabilities included in the State's definition of adequate yearly progress?</p>	<p>All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
	<p>Students with disabilities within the grades tested (2-8 and 10) participate in California's statewide assessment program by taking either the general assessment with or without accommodations/modifications or the alternate assessment. The majority of students with disabilities participate in the general assessment, but those with significant cognitive disabilities may be eligible to participate in the California Alternate Performance Assessment (CAPA). Results from students with disabilities who participate in the general statewide assessment (i.e. STAR) will be summarized in the same fashion as any other students.</p> <p>Consistent with the transition policy included in the evaluation of our January 2003 workbook, in 2003 California will treat the five CAPA performance levels as equal to the five performance levels used for the California Standards Tests for summarizing LEA and school performance. In other words, a score (performance level) on the alternate assessment holds the same value as a score (performance level) for the STAR or CAHSEE. Beyond 2003, the scores for students with disabilities who take the alternate assessment will be included in the assessment data in the accountability system within the parameters defined by federal statute and regulations.</p> <p>In 2003 California will monitor the application of alternate standards and assessments at the district and state level. The percentage of students held to alternate achievement standards (through CAPA) may not exceed 1.0 percent of all students in the grades assessed. For the purposes of NCLB reporting, at the district and state level, results from students who take the CAPA in excess of the 1.0 percent limitation will be considered "far below basic."</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">California Code of Regulations § 853(c) that describes California's policy for testing students with disabilities</a> (see Title 5, Division 1, Chapter 2, Subchapter 3.75, Article 2, Section 853(c))</li> <li>• <a href="#">Special Education Accommodations/Modifications for California Statewide Assessments</a></li> </ul>	

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>5.4 How are students with limited English proficiency included in the State's definition of adequate yearly progress?</p>	<p>All LEP student participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	<p>LEP students are not fully included in the State Accountability System.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p><b>Pending Approval by the State Board of Education</b></p> <p>Currently, California Education Code § 60640(b) requires all students in grades 2-11 to participate in the STAR assessment program. Similarly, California Education Code § 60851(b) requires all 10<sup>th</sup> graders to participate in CAHSEE. English learners are not exempt from these requirements, but may take the assessments with accommodations (see Supporting Evidence for Critical Element 5.3; additional regulations for accommodations for English learner students are under development). Test results from these students on the statewide assessment are summarized in the same fashion as any other student.</p> <p>In determining the AYP of students with limited English proficiency, California will include the STAR and CAHSEE results of students who have been re-designated as fluent English proficient as well as English learners. In California, English learners are re-designated as fluent English proficient when they reach the “basic” level on the statewide English/language arts CST and the “proficient” level (referred to as early advanced) on California’s language proficiency test, called CELDT. Because English learners are redesignated under state law and removed from the English learner subgroup before they attain the proficient level, redesignated fluent English proficient (RFEP) students must continue to be included in the English learner subgroup in order to demonstrate academic proficiency on the English/language arts CST. It is likewise impossible to provide a record of the success or failure that a school has with increasing the academic achievement level of these students.</p> <p>California will maintain RFEP students as English learners for purposes of NCLB until these students have attained the proficient level on the English/language arts CST for three years consistent with the federal definition of limited English proficient students in paragraph (25) of Section 9101 of Title IX of NCLB. That definition includes students as limited English proficient when those students have “difficulties in speaking, reading, writing, or understanding the English language [that] may be sufficient to deny the individual – the ability to meet the State’s <b>proficient level of achievement</b> on State assessments described in section 1111(b)(3).” (Emphasis added.) California’s <b>English</b>/language arts standards require a student to develop a high level of academic achievement in English. California ensures that RFEP students will be successful on its high academic standards in English, by continuing to provide high-quality instructional programs to RFEP students and requiring that RFEP students demonstrate <b>sustained</b> academic proficiency before exiting the English learner subgroup. Sustained academic proficiency requires three years of proficient on the English/language arts CST to determine that a valid pattern of success has been established. Since RFEP students have already attained English language proficiency on the CELDT, there is no need to continue to administer the language proficiency assessment to the RFEP students.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">California Education Code § 60640(b) that describes the inclusion of all students in the STAR program</a></li> <li>• <a href="#">California Education Code § 60851(b) that describes the requirements for all students to participate in the CAHSEE</a></li> <li>• <a href="#">California Code of Regulations § 853(d) that describes California’s policy for testing students with limited English proficiency</a></li> </ul> <p><a href="#">Title IX, § 9101(25)(D)(iii) of the No Child Left Behind Act of 2001</a></p>		



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
5.5 What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?	<p>State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State.<sup>5</sup></p> <p>Definition of subgroup will result in data that are statistically reliable.</p>	<p>State does not define the required number of students in a subgroup for reporting and accountability purposes.</p> <p>Definition is not applied consistently across the State.</p> <p>Definition does not result in data that are statistically reliable.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

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<sup>5</sup> The minimum number is not required to be the same for reporting and accountability.

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California defines 11 as the minimum number of students required to report subgroup results. This number has been selected as a result of confidentiality concerns (see Critical Element 5.6). California further will define the minimum number of students in a subgroup for accountability purposes to be:

- 100 students with valid test scores, or
- 50 students in those cases where the subgroup constitutes at least 15% of the students at the school with valid test scores

This would apply to schools, LEAs, and student subgroups within an LEA or school. This represents a change from the current state law regarding the API and would therefore require a legislative change, which would occur by October 2003.

Since the inception of its accountability system in 1999, California has required that numerically significant student subgroups in a school demonstrate “comparable improvement” in order for a school to be eligible for awards or meet its API growth target. As a result, California has had three years experience in establishing what constitutes an appropriate minimum subgroup size, including unexpected consequences that result from such a criterion.

After analyzing the interaction between school-level and student subgroup accountability, California finds that there are three major considerations in establishing a minimum subgroup size. Any minimum “n” formula must strike a balance between these three:

- The formula should reflect acceptable standards of statistical reliability.
- The formula should encourage LEAs and schools to address the instructional needs of numerically significant ethnic and socioeconomically disadvantaged student subgroups.
- The formula should take into account the use of the subgroup analysis, i.e., the consequential validity of the decision about whether or not the subgroup made AYP.

A statistical analysis reveals that a minimum “n” of 100 for a subgroup that has 50% of its students at the “proficient” level or above still implies a standard error of 5%. Moreover, this error is compounded in the case of schools with diverse student populations because of the cumulative effect of repeated AYP decisions for each significant subgroup. From the standpoint of consequential validity, it is difficult to support a minimum “n” size under 100 especially for schools as diverse as those in California. In this connection, it is imperative to consider the consequential aspects of a given formula for minimum “n” size, or in other words, the likelihood that a given formula will yield reliable decisions about whether schools have actually made AYP, particularly in light of the high stakes attached to such a measure.

On the other hand, a minimum “n” of 100, although technically meritorious, does not fully address the diversity of California’s schools in enrollment, student demographics, and geography. The adoption of this minimum “n” has the following implications for California’s schools:

- It would result in a far larger number of schools for which an annual AYP decision is difficult if not impossible to make because the schools do not have a minimum of 100 valid test scores.
- It may be logical for a small elementary school to design an instructional strategy to address the learning needs of a subgroup of less than 100, however illogical that may be for a large high school where such a group may represent a very small proportion of the overall student population.
- Using a one “minimum-n-fits-all-schools” formula may have serious unintended consequences. For example, it could potentially result in the over-identification of large, urban high schools for program improvement, potentially resulting in an inappropriate redirection of school improvement resources away from elementary and middle schools. This would be counter-productive, since it is logical to assume that instructional changes that are implemented in elementary schools are fundamental in raising the achievement levels in high schools.

Because these policy and instructional considerations are very important in California, the rule 100 students or 50 students and 15% of the students at the school with valid test scores is more appropriate and will result in a more accurate identification of California schools that fail to make AYP than a simple minimum “n.” Additional supporting evidence and data simulations will be presented to the peer review team.

**Supporting Evidence:**

- [Council of Chief State Schools Officers \(CCSSO\) publication “Making Valid and Reliable Decisions in Determining AYP” \(see pages 23 and 62-72\)](#)
- [California State Board of Education minutes from the January 8, 2003 meeting](#)
- Average Number of Significant Subgroups under California’s Minimum N Rule (Attachment O)
- Average Number of Significant Subgroups by School Type (Attachment P)
- “The Chances of False Negatives: Failing AYP Because of Random Processes: An Issue Paper” (Attachment Q)
- “False Negatives with New AYP Definition: An Issue Paper” (Attachment R)

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.6 How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information. <sup>6</sup>	Definition reveals personally identifiable information.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>As per current practice, the CDE will not report test results for fewer than 11 students. AYP determinations for grades 2-8 will be made and reported as a result of the summary of data across grade levels, further ensuring that student confidentiality will be maintained.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">California Code of Regulations § 854 that describes California's policy for reporting test scores</a></li> </ul>		

<sup>6</sup> The Family Education Rights and Privacy Act (FERPA) prohibits an LEA that receives Federal funds from releasing, without the prior written consent of a student's parents, any personally identifiable information contained in a student's education record.

**PRINCIPLE 6. State definition of AYP is based primarily on the State’s academic assessments.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
6.1 How is the State’s definition of adequate yearly progress based primarily on academic assessments?	<p>Formula for AYP shows that decisions are based primarily on assessments.<sup>7</sup></p> <p>Plan clearly identifies which assessments are included in accountability.</p>	<p>Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>AYP will be based primarily on the percentage of students at or above the “proficient” level in English language arts and mathematics. This will be determined through the California Standards Tests (CSTs), the California High School Exit Exam (CAHSEE) and the California Alternate Performance Assessment (CAPA), as applicable. All three tests are based on the California content standards. The Academic Performance Index (API), which functions as an additional indicator, is currently based exclusively on academic assessment results, both standards-based and norm-referenced. California Education Code § 52052(a)(3) requires the eventual inclusion of attendance rates and graduation rates in the API when proven valid and reliable; however, it also requires test results to constitute at least 60% of the API. The only non-assessment component of AYP is the graduation rate, which is required by NCLB.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">California’s Public Schools Accountability Act of 1999 (PSAA) that describes the regulations guiding the composition of the Academic Performance Index</a> (see § 52052(a)(3)(A))</li> <li>• <a href="#">2002 Base API information that describes the current composition of the API</a></li> </ul>		

<sup>7</sup> State Assessment System will be reviewed by the Standards and Assessments Peer Review Team.

**PRINCIPLE 7. State definition of AYP includes graduation rates for public High schools and an additional indicator selected by the State for public Middle and public Elementary schools (such as attendance rates).**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.1 What is the State definition for the public high school graduation rate?</p>	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> <li>• Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state's academic standards) in the standard number of years; or,</li> <li>• Uses another more accurate definition that has been approved by the Secretary; and</li> <li>• Must avoid counting a dropout as a transfer.</li> </ul> <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause<sup>8</sup> to make AYP.</p>	<p>State definition of public high school graduation rate does not meet these criteria.</p>

<sup>8</sup> See USC 6311(b)(2)(I)(i), and 34 C.F.R. 200.20(b)

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

California does not currently have a student data system that would allow longitudinal tracking of individual students from Grade 9 or 10 through high school graduation. Such a system is currently under development and once fully implemented can and will be used to calculate a high school graduation rate. Until that time, however, the California Department of Education (CDE) will use a synthetic graduation rate corresponding to the National Center for Educational Statistics (NCES) four-year completion rate. This rate includes information on high school completers and high school dropouts aggregated over a four-year period.

This calculation methodology is advocated by the NCES in part so there is consistent reporting across states. This methodology has also been advocated by the USDE for use in the Consolidated State Application. Specifically, the USDE for Performance Goal 5 (all students will graduate from high school) stated that “the percentage of students who graduate from high school each year with a regular diploma” should be calculated in the same manner as used in the NCES reports on the Common Core of Data.

**In October 2003 a change to the CBEDS data collection form will be implemented to make our state definition of “dropouts” consistent with that of NCES. The number of graduates, defined as the number of students who graduate from high school with a regular diploma, is collected via the CBEDS data collection form. This definition excludes students who receive a high school equivalency certificate or GED.**

The four-year completion rate formula is shown below:

$$\text{HS CMP Yr. 4} / \{ \text{HS CMP Yr. 4} + (\text{Gr. 9 DPO Yr. 1} + \text{Gr. 10 DPO Yr. 2} + \text{Gr. 11 DPO Yr. 3} + \text{Gr. 12 DPO Yr. 4}) \}$$

HS = High School  
 CMP = Completer  
 Yr. = Year  
 Gr. = Grade  
 DPO = Dropouts

Until California has established a longitudinal student tracking system, it is impossible to establish a four-year graduation rate for a 10-12 high school. In the interim, California will establish a three-year rate with the formula adjusted accordingly. While it is improper to compare a four-year rate for a 9-12 school to the a three-year rate for a 10-12 school, it is suitable for making longitudinal comparisons for the same school, so long as the school does not change grade spans. In the event that the school does change grade spans, then it is possible to adjust the rate by considering only the common grades from one year to the next. Therefore, this rate can be used to measure progress from one year to the next. CDE will establish a methodology during the next year to provide a four-year rate for 10-12 schools.

California has not collected graduate and dropout data on all of the student subgroups required by the NCLB Act; therefore, it will be unable to make use of the indicator in safe harbor calculations for 2002-2003. Until California has collected the requisite subgroup data, it will use the API, an additional academic indicator for high schools, to apply safe harbor. The API will be disaggregated by the required student subgroups for 2002-2003.

“Progress” on the graduation rate measure will be defined by increasing the rate by one tenth of one percent per year until the school reaches 100 percent.



CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</p>	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.<sup>9</sup></p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p>California proposes to use the Academic Performance Index (API) as the required additional academic indicator for elementary and middle schools as well as an optional academic indicator for high schools. Progress on that indicator will be defined as growth of at least one API point or meeting an annual API status target as defined by a schedule of API targets established by a methodology similar to the one used to establish annual measurable objectives in English language arts and mathematics. Disaggregated API results will be used when applying the exception clause (“safe harbor”) to make AYP.</p> <p>While the API includes the same test results used to determine AYP, it</p> <ul style="list-style-type: none"> <li>• Reflects movement across four cut points, instead of only one,</li> <li>• Includes norm-referenced test results in addition to standards-based test results, and</li> <li>• Includes additional content areas and additional standards tests at the high school level.</li> </ul> <p>Therefore, the API is an ideal supplement to the AYP method of measuring academic performance, i.e., “proficient” or above in English language arts and mathematics.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• API information (see Critical Element 1.1)</li> <li>• The Academic Performance Index (API) as the “Other” Indicator (see Attachment A)</li> <li>• <a href="#">The Academic Performance Index (API): A Six-Year Plan for Development (2001-2006)</a></li> </ul>		

<sup>9</sup> NCLB only lists these indicators as examples.

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>California requires that the test publishers, with whom we have contracted, ensure that statewide assessments meet nationally recognized standards of validity and reliability. These assessments are the basis of both the AYP determination and the API calculation.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• Copy of a letter from the Educational Testing Service, California's contractor for the California Standards Tests, indicating it is their responsibility to ensure the reliability and validity of the statewide assessments (see Attachment S)</li> </ul>		

**PRINCIPLE 8. AYP is based on reading/language arts and mathematics achievement objectives.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?</p>	<p>State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.<sup>10</sup></p> <p>AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.</p>	<p>State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p>California currently reports assessment results separately by academic content area, including English language arts and mathematics, on the California Standards Tests (CSTs), the California High School Exit Exam (CAHSEE), and the California Alternate Performance Assessment (CAPA). AYP for a school and LEA will be determined by evaluating performance in English language arts and mathematics separately.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• Sample school-level AYP report (see Attachment T)</li> </ul>		

<sup>10</sup> If the state has more than one assessment to cover its language arts standards, the State must create a method for including scores from all the relevant assessments.

**PRINCIPLE 9. State Accountability System is statistically valid and reliable.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>
<p><b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b></p>		
<p>As noted in Critical Element 5.5, statistical reliability is not necessarily the best measure of precision in making AYP determinations. Instead the notion of consequential validity is of more importance, especially in light of the high stakes associated with the misclassification of schools.</p> <p>In this regard, the California Department of Education (CDE) currently supports research by Dr. David Rogosa of Stanford University on the potential for misclassification of schools based on Academic Performance Index (API) gains and losses. This includes an on-going estimate of decision consistency. The CDE plans to extend this research to encompass the new federal AYP criteria as it will be incorporated into the State Accountability System, including the publication of estimates of decision consistency.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">“Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa (Dec. 2002)</a></li> <li>• <a href="#">“Year 2000 Update: Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa (December 2002)</a></li> <li>• <a href="#">“Year 2001 Update: Accuracy of API Index and School Base Report Elements” by Dr. David Rogosa (December 2002)</a></li> <li>• <a href="#">“Irrelevance of Reliability Coefficients to Accountability Systems: Statistical Disconnect in Kane-Staiger ‘Volatility in School Test Scores’” by Dr. David Rogosa (October 2002)</a></li> </ul>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
9.2 What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>California plans to continue its already existing process for public schools and LEAs to appeal an accountability decision. Currently, annual appeals of the AYP decision can be made based on statistical or other substantive reasons [per Title I, Part A, § 1116(b)(2)]. Appeals are required to be submitted to the CDE 30 days after the AYP determination is made. The CDE reviews each appeal on a case-by-case basis. In the future, an LEA, on behalf of its schools, would submit such an appeal following the publication of preliminary AYP results in August of each year.</p> <p>In addition to an appeal of an AYP decision, following the publication of preliminary results in the summer, an LEA may also submit a request to correct erroneous demographic information that may affect the subgroup analysis on the statewide assessments used to determine AYP. This type of appeal is in accord with current practice in conjunction with the API reporting cycle.</p>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>9.3 How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.<sup>11</sup></p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		

<sup>11</sup> Several events may occur which necessitate such a plan. For example, (1) the State may need to include additional assessments in grades 3-8 by 2005-2006; (2) the State may revise content and/or academic achievement standards; (3) the State may need to recalculate the starting point with the addition of new assessments; or (4) the State may need to incorporate the graduation rate or other indicators into its State Accountability System. These events may require new calculations of validity and reliability.

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
	<p>California has a plan that describes the anticipated changes in the statewide assessments over the next three years. The three-year assessment plan closely interacts with the six-year plan for the Academic Performance Index (API), because the API is based on the statewide assessments. (Recall the API is the additional indicator for AYP allowed under the NCLB.)</p> <p>The API is computed in base-growth cycles. That is, for the 2002-03 cycle the base is computed on the 2002 assessment results and released in January 2003; the growth is computed on 2003 assessment results and released in October 2003. The API calculation is always the same within each base-growth cycle (i.e. progress is assessed on the same indicators from Time 1 to Time 2). Any new assessments or new calculation methods are introduced into the API at the start of a new base-growth cycle. When the API was first developed in 1999 it included only a norm-referenced test. In 2001 the California Standards Tests in English language arts were added to the API. In 2002, the California Standards Tests in Math and results from the California High School Exit Exam were added. In 2003, a Grade 8 California Standards Test in history/social science and the California Alternate Performance Assessment will be added. Future plans include adding a Grade 5 standards-based science assessment in 2004 and a Grade 8 and Grade 10 standards-based science assessment in 2005 (science assessments are required under NCLB).</p> <p>One of the more immediate changes in our assessments that will impact AYP involves the establishment of three performance levels on the California High School Exit Examination (CAHSEE) per the NCLB requirements. As described earlier in this workbook, a starting point for grades 10-12 has now been calculated. This starting point is an estimate because when the CAHSEE was administered for the first time in 2001 it was offered on a voluntary basis to 9<sup>th</sup> grade students. In 2002 it was offered to all 10<sup>th</sup> graders who did not pass both portions of the exam in 2001. While data from both the 2001 and 2002 test administration cycles are available, those results are not comparable to the 2003 results for the purposes of establishing AYP for high schools (2003 will be the first 10<sup>th</sup> grade census administration of this exam). As a result, California will re-evaluate and consider re-establishing the starting point after data from the spring 2003 census administration is available.</p> <p>The California State Board of Education will annually review the plans for the statewide assessment system and the API. The CDE will expand this to include changes in the AYP measure resulting from changes in assessments as necessary.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Three-year Plan for the Development of California's Assessment System</a></li> <li>• <a href="#">The Academic Performance Index (API): A Six-Year Plan for Development (2001-2006)</a></li> </ul>	

**PRINCIPLE 10. In order for a public school or LEA to make AYP, the State ensures that it assessed at least 95% of the students enrolled in each subgroup.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<p>10.1 What is the State's method for calculating participation rates in the State assessments for use in AYP determinations?</p>	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		



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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>The California Department of Education (CDE) is able to calculate participation rates because it requires that a Student Answer Document be completed for each student in the grades to be assessed, including students who do not take the assessment.</p> <p>Currently California requires that for awards eligibility, an elementary or middle school must test at least 95% of eligible students and a high school must test at least 90%. The California State Board of Education will amend or excise its regulations to raise the high school rate to 95%.</p> <p>Participation rates for AYP purposes will be calculated by dividing the number of students tested by the number of students enrolled on the first day of testing. These rates will be calculated for English language arts and mathematics separately. An LEA, school, or a numerically significant subgroup must have a participation rate of 95% or greater in order for an LEA, school, or a numerically significant subgroup to make AYP.</p> <p>In order to comply with the requirements of NCLB, for STAR the number of students enrolled on the first day of testing will include students who have been excluded from testing at the request of parents or guardians. This is contrary to past state practice in which these students were subtracted from the denominator in calculating participation rates. The right for a parent or guardian to request that a student be excused from STAR is recognized by California Education Code § 60615. There are no similar provisions for student exclusions on the CAHSEE. Students participating in the California Alternate Performance Assessment (CAPA) will be included in both the numerator and denominator.</p> <p>California will consider all students who have sat for the assessment as participants. This includes students who failed to respond to enough items to generate a result. In testing parlance, these students are termed “did not attempts.” For accountability purposes, these latter students will be considered to be in the lowest performance level, i.e., “far below basic” and therefore as not proficient.</p> <p><b>Supporting Evidence:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Public Schools Accountability Act of 1999 § 1031(i) that describes minimum participation rates for awards eligibility</a> (see Title 5, Division 1, Chapter 2, Subchapter 4, Article 1.7, Section 1032(i))</li> <li>• <a href="#">California Education Code § 60615 that describes the allowance for parental waivers to excuse students from the statewide testing program</a></li> </ul>		

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CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
10.2 What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>California will apply the 95% requirement to any LEA, school, or student subgroup that meets its criteria for numerically significant in terms of <u>enrollment in the grades tested</u>. This will occur even if the LEA, school, or student subgroup does not generate enough valid scores to require determining whether or not the LEA, school, or student subgroup met the annual measurable objectives (see critical elements 3.2b and 3.2c).</p> <p>The 95% requirement is applied prior to the determination of whether or not the LEA, school, or student subgroup would have met the annual measurable objectives. An LEA, school, or student subgroup that does not meet the 95% requirement is deemed to have not made AYP, regardless of whether or not it would have met the annual measurable objectives, i.e., the percent proficient or above.</p>		

## **Appendix A**

### **Required Data Elements for State Report Card**

#### **1111(h)(1)(C)**

1. Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments (disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
2. Information that provides a comparison between the actual achievement levels of each student subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments.
3. The percentage of students not tested (disaggregated by the student subgroups), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.
4. The most recent 2-year trend in student achievement in each subject area, and for each grade level, for the required assessments.
5. Aggregate information on any other indicators used by the State to determine the adequate yearly progress of students in achieving State academic achievement standards disaggregated by student subgroups.
6. Graduation rates for secondary school students disaggregated by student subgroups.
7. Information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116.
8. The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which (for this purpose) means schools in the top quartile of poverty and the bottom quartile of poverty in the State.